CONSIDERATIONS

ON

LORD GRENVILLE'S AND MR. PITT'S BILLS.

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LORD GRENVILLE'S AND MR. PITT'S

BILLS,

CONCERNING

TREASONABLE AND SEDITIOUS

PRACTICES,

AND

UNLAWFUL ASSEMBLIES.

BY A LOVER OF ORDER.

LONDON:

Printed for J. JOHNSON, No. 72, St. Paul's Church-Yard.

[PRICE 1s. 6d.]

CONSIDERATIONS, &c.

IN the preſent irritated and unnatural ſtate of political affairs, while one party will not endure to hear of any cautionary reſtraints upon freedom, and another party, impreſſed with apprehenſions of anarchy, conceives that ſcarcely any reſtraint can be too vigilant or ſevere; it is the object of the following examination of the bills lately introduced into Parliament by Lord Grenville and Mr. Pitt, to eſtimate their merits with the ſtricteſt impartiality. It is much to be deſired, in moments pregnant with ſo important conſequences, that an individual ſhould be found, who could preſerve his mind untainted with the headlong rage of faction, whether for men in power or againſt them; could judge, with

the ſobriety of diſtant poſterity, and the ſagacity of an enlightened hiſtorian; and could be happy enough to make his voice heard, by all thoſe directly or remotely intereſted in the event.

The great problem of political knowledge, is, how to preſerve to mankind the advantages of freedom, together with an authority, ſtrong enough to controul every daring violation of general ſecurity and peace. The prize of political wiſdom is due to the man, who ſhall afford us the beſt comment upon that fundamental principle of civilization, Liberty without Licentiouſneſs.

Great is the error, or ſiniſter and alarming the policy, of thoſe, who tell us that politics is a ſimple ſcience, where the plaineſt underſtanding is in no danger of a fatal miſtake. Politics, eſpecially if we underſtand that term as relating to ſuch ſocieties of men as at preſent divide the earth, is the maſterpiece of human ſagacity.

To govern individuals in a petty and limited circle, is eaſy. They may be governed, if ſufficient judgment be exerciſed upon the ſubject, by reaſon alone. But it is far otherwiſe with nations, with millions of men united

under

under a ſingle head. In a petty and limited circle, all exerciſe an inſpection over all. There are no deeds that are concealed; the general cenſure or applauſe, follows immediately in the rear of every action that is performed. But, in nations of men, there is no eye penetrating enough to detect every miſchief in its commencement; craft is ſucceſsful in eſcaping thoſe conſequences which juſtice would annex to injury. Men take pleaſure in this ſpecies of dexterity, and the web of ſociety is rent by the ſallies of wantonneſs.

No variety can be more endleſs, than that which is to be found among the diſpoſitions of mankind. Public intereſt and ſecurity require from men, to a certain degree, an uniformity of action, and an uniformity of ſubmiſſion. How is this uniformity to be found among the countleſs caprices of human character? Reaſon and expoſtulation here are not ſufficient: there muſt be an arm to repreſs; a coercion, ſtrict, but forbearing and mild. In all numerous collections of men, there will be individuals diſpoſed to offend. No ſyſtem of political arrangement can be ſo wiſe, but that ſome men will diſapprove of

it. No ſyſtem of equal adminiſtration can be ſo perfect, but that ſome men will be urged by neceſſity, and aggravated by diſtreſs. If offence be diſcountenanced by the ſober and judicious, there will always be turbulent ſpirits who will purſue a contrary conduct; they will confirm the offender in his error, inſtead of recalling him to reaſon; they will harden him in his deviation, and encourage him to hold inoffenſive remonſtrance in contempt.

Human ſociety is a wonderful machine. How great are the inequalities that prevail in every country in Europe! How powerful is the incitement held out to the poor man, to commit hoſtility on the property of the rich, to commit it in detail, each man for himſelf, or by one great and irreſiſtible effort to reduce every thing to univerſal chaos! Political wiſdom, when it is found ſuch as it ought to be, is the great and venerable power, that preſides in the midſt of turbulent and conflicting paſſions, that gives to all this confuſion the principles of order, and that extracts univerſal advantage from a nearly univerſal ſelfiſhneſs.

He that deliberately views the machine of human ſociety, will, even in his ſpeculations,

approach

approach it with awe. He will recollect, with alarm, that in this ſcene,

—Fools ruſh in, where angels fear to tread.

The fabric that we contemplate is a ſort of fairy edifice, and, though it conſiſt of innumerable parts, and hide its head among the clouds, the hand of a child almoſt, if ſuffered with neglect, may ſhake it into ruins.

There is no good reaſon to conclude, that ſpeculative enquiries ought not to be tolerated, or even that they may not, if conſulted with ſoberneſs, afford materials for general utility. But it is with ſoberneſs and caution that the practical politician will alone venture to conſult them. Do you tell me, "that there are great abuſes in ſociety?" No wiſe man will diſpute it. But theſe abuſes are woven into the very web and ſubſtance of ſociety; and he that touches them with a ſacrilegious hand, will run the riſk of producing the wideſt and moſt tremendous ruin. Do you tell me, "that theſe abuſes ought to be corrected?" Every impartial friend to mankind will confirm your deciſion with his ſuffrage, and lend his hand to the ſalutary work.

Yes,

Yes, my countrymen, abuſes ought to be corrected. The effort to correct them ought to be inceſſant. But they muſt be corrected with judgment and deliberation. We muſt not, for the ſake of a problematical future, part with the advantages we already poſſeſs; we muſt not deſtroy, faſter than we rear.

There are perſons indeed, to whom the edifice of ſociety appears as nothing but one maſs of deformity. With ſuch perſons it is not neceſſary here to enter into any regular argument. Is all that diſtinguiſhes the moſt enlightened genius of modern Europe from the American ſavage, nothing? Is the admirable progreſs of light and knowledge, that has been going on almoſt uniformly for centuries, and that promiſes to go on to an unlimited extent, —is this nothing? Where is the man hardy and brutiſh enough to put all this to peril, to ſet this immenſe and long earned treaſure upon a ſingle throw, for the chance, if univerſal anarchy and barbariſm be introduced, of the more generous and auſpicious ſcenes that will grow out of this barbariſm?

Theſe univerſal principles of political ſcience it ſeemed neceſſary to premiſe, to a ſober examination of the bills now depending in

parliament.

parliament. Every one will ſee, without the neceſſity of a direct application, how theſe principles are connected with the ſubject to be diſcuſſed. The perſons at preſent concerned in the government of Great Britain, have a delicate and momentous taſk impoſed upon them. Of all their duties, that which is perhaps paramount to the reſt, is to preſerve the bleſſings we already poſſeſs, from the raſhneſs of preſumptuous experiment. General ſecurity is the baſis of all thoſe things which ſociety has to give, that are worthy the acceptance of mankind. In ſecurity only the cultivator plows his field, the manufacturer exerciſes his ingenuity, and the merchant brings home the produce of every diſtant climate. Without ſecurity all theſe would be neglected, would be done with an irreſolute and nerveleſs temper, and would fall gradually into ruin. In ſecurity only ſcience is extended, arts are cultivated, and the virtues expand themſelves. Without ſecurity mankind would ſpeedily become ignorant and blood-thirſty ſavages. To the governors of the earth, therefore, the ſlender band of wiſe and judicious citizens would ſay, "Give us ſecurity, we will provide for ourſelves all other advantages."

If the moſt important duty of thoſe who hold the reins of government, be, at all times, to take care of the public ſecurity, it is peculiarly ſo in the preſent criſis. We are never ſo well inſured againſt anarchy and tumult, but that it is incumbent upon government to be vigilant. But the dangers of anarchy and tumult are greater now, than at any ordinary period. The foundations of ſociety have been broken up in the moſt conſiderable kingdom of Europe. Dreadful calamities have followed. A great experiment has been made, and the happineſs of mankind is eminently involved in the iſſue of the experiment. But there is ſomething ſo beautiful and faſcinating, to a ſuperficial obſervation, in the principles that produced the French revolution, that great numbers of men are eager to adopt and to act upon them. The calamities that have attended their operation in France, do not deter them.

In the mean time, the ſucceſs of the experiment of the French revolution has not been ſo unmixed and brilliant, but that a man of reflection will deliberate long, before he deſires to ſee the experiment repeated in any other country. It is the duty of the governors of the earth, particularly at this time, to ſet

their

their faces againſt raſh and premature experiments. They will not ſeek to preclude men from the exerciſe of private judgment. They will not involve in an undiſtinguiſhing cenſure all projects of better œconomy and moderate reform. But, if they remark with a certain degree of applauſe the high blood and impetuous mettle of the racer, they will, at leaſt, look to the boundary poſts, and endeavour to prevent his running out of the courſe.

Let us apply theſe common and unanſwerable topics of reaſoning to the objects embraced in Lord Grenville's and Mr. Pitt's bills. Theſe objects are, the influx of French principles, and the danger accruing from theſe principles to public ſecurity. There are two points, in which this influx of principles and their concomitant dangers have been more particularly conſpicuous.

It is the purpoſe of theſe pages to enquire impartially. In the part of the ſubject upon which we enter in this place, what we undertake is, to probe recent evils. The evil muſt be probed, or the proper remedy can never be diſcovered. It would be baſe and unmanly in the inveſtigator, to intend to give offence to any man, or any body of men.

But, far from harbouring any ſuch intention, it is not leſs his duty, not to be deterred by the fear of offence. In the progreſs of the inveſtigation he will be obliged alternately to deliver truths unpalatable to every ſet of men. He will be ſorry to hurt the ſelf-applauſe or the prejudices of any; but, if he give pain to individuals, he is encouraged in this ungracious part of his taſk, by a hope of contributing his mite to the welfare of all. He will conſole himſelf, whatever may be the event, with having intended that welfare.

A farther preliminary remark is neceſſary in this place to obviate the danger of miſconſtruction. The duties of the ſtateſman, and the duties of the miniſter of criminal juſtice, have often been confounded. The ſtateſman has conceived himſelf to be bound by the rigid maxims of a court of judicature, and the lawyer has expatiated in the conjectural ſtyle, and among the moral probabilities, to which the ſtateſman is bound to give attention. This confuſion has in both inſtances been attended with fatal conſequences. No two claſſes of duties can be more diſtinct.

In the obſervations to be here delivered, the reaſonings muſt be of a political, and not

of

of a judicial kind. Where the life of a man is at ſtake, or where coercive penalties of any ſort are to be inflicted, the maxims of evidence cannot be too rigid; we ought not to pronounce a man guilty, when it is poſſible to find him innocent. Hiſtorical diſquiſition, on the other hand, yields no deference to ſuch a diſtinction. Guilt or innocence are matters of indifference at her bar, ſhe brings together all the evidence, ſhe weighs the oppoſite probabilities, and ſhe pronounces a verdict upon the ſlighteſt turning of the balance. She pronounces a man guilty, when it is in many ways poſſible that he may be innocent.

Political diſquiſition partakes in many reſpects of the nature of hiſtorical. The concern of the politician, ſtrictly ſpeaking, is with precaution, and not with puniſhment. He is not therefore bound to the rigour of judicial maxims. I may not proceed againſt the life of a man without the moſt irreſiſtible evidence. But in calculating reſpecting the probable future, in endeavouring to mould that future in the way moſt conducive to general welfare, in anticipating diſorder, and keeping out the influx of calamity, it is allowable, nay it is neceſſary, to proceed upon much ſlighter grounds. I muſt content my-

ſelf, like a philoſopher, with analyſing the human mind, and aſcertaining the conſequences it is moſt reaſonable to expect. I could do nothing with reſpect to future events, if I adopted a different mode of proceeding. Truſting to the reaſonableneſs of theſe remarks, we will now proceed to examine the irregularities intended to be corrected by Lord Grenville's and Mr. Pitt's bills.

The firſt of the two points to which we alluded above, is the inſtitution of the London Correſponding Society. Reſpecting the nature of extenſive political ſocieties we have received a memorable inſtruction, which no lover of the happineſs of mankind will eaſily perſuade himſelf to forget, in the inſtitution of the Jacobin Society in Paris. It is too notorious to admit of being reaſonably queſtioned, that the London Correſponding Society has in ſeveral reſpects formed itſelf upon the model of the ſocieties which have produced ſuch memorable effects in France. They have adopted the language of theſe ſocieties. They have copied their actions. They may, without the imputation of uncharitable conſtruction, be ſuſpected of a leaning

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to republican principles. But, what is moſt material, they have endeavoured, like the ſociety of Jacobins, to form leſſer affiliated ſocieties in all parts of the iſland; and they have profeſſed to ſend miſſionaries to inſtruct them. The very name indeed of London Correſponding Society preſents to us this idea.

Let us conſider what idea we ought to form of this extraordinary inſtitution. It is extremely numerous in the metropolis, ſplit and divided into a variety of ſections. It boaſts, that it weekly gains an acceſſion of numbers. Its recruits are chiefly levied from the poorer claſſes of the community. It has abundance of impetuous and ardent activity, and very little of the ballaſt, the unwieldy dulneſs, of property.

Political enquirers might have been induced to pay leſs attention to this extraordinary machine, than its magnitude deſerves. But it has forced itſelf upon public notice, by the immenſe multitudes it has collected together in the neighbourhood of the metropolis, at what have been ſtiled its general meetings. The ſpeeches delivered at theſe meetings, and the reſolutions adopted, have not always been

of the moſt temperate kind. The collecting of immenſe multitudes of men into one aſſembly, particularly when there have been no perſons of eminence, diſtinction, and importance in the country, that have mixed with them, and been ready to temper their efforts, is always ſufficiently alarming. We had a ſpecimen of what might be the ſequel of ſuch collecting, in the riots introduced by Lord George Gordon and the Proteſtant Aſſociation in the year 1780.

Let us put together the different circumſtances already enumerated. Let us conſider the largeneſs of this ſociety, their numerous meetings, their inceſſant activity, their poverty, the abundance of their zeal, and their numerous affiliations whether in act, in expectation, or in deſire. It may be precipitate to pronounce what are the ideas of its leading members, and how far they underſtand the magnitude of the machine they profeſs to govern. But it is eaſy to ſee what ſuch a machine is able to effect.

From this delineation of the London Correſponding Society, it follows, that the government of this country would be unpardonable, if it did not yield a very careful and uninterrupted

interrupted attention to their operations. In this deciſion, it is wholly unneceſſary to mix any conſideration of the intention of the individuals concerned. Their intentions, for any thing that is of moment in this argument, may be of a purity that is more than human. To rail againſt men's intentions, is to take an undue advantage of popular prejudices. There is no man ſo pure, but that ſomething of ſelfiſh mixes with his actions. There is probably no man ſo baſe, as not to have ſome regard for morality, and juſtice, and the general welfare of mankind. But the ſtateſman reaſons about men, as the manufacturer reaſons about his tools and the different parts of his machines. He cenſures the unwieldy, the blunt, the jagged, the flawed, and the corroſive, without an atom of bitterneſs or reſentment againſt any one of theſe. He merely finds them not fit for his purpoſe. He fears the ill effects they may produce in the working of the machine. To ſpeak only of that part of the parallel that relates to men, the real ſtateſman will love, will compaſſionate, will ſympathiſe with thoſe individuals, whoſe conduct he concludes upon the beſt evidence, to be hoſtile to the general welfare. He regrets

their

their errors, he desires their reformation and improvement. It is unnecessary to his purpose that he should impute to them any ill design. He knows that the conduct of men with the best dispositions, has often been productive of horrible mischief. Such was probably the sublime and disinterested enthusiast that stabbed Henry the Great, and such the authors of the Gunpowder Treason.

These are then the conclusions that, it should seem, we ought to form respecting the London Corresponding Society. The second article that seems to constitute the present ground of alarm, are the Political Lectures that have been delivered for near two years at Beaufort Buildings, in the Strand; to which perhaps we may add some of the discussions that have taken place in certain crowded assemblies, called Debating Societies. To conceive the judgment we ought to form respecting these Political Lectures, we have only to recollect what has been already observed, respecting the profoundness of political science as it relates to the case of great nations, and the delicate fabric of human society.

Whether or no political lectures, upon the fundamental principles of politics, to be delivered

livered to a mixed and crowded audience, be entitled to the approbation of an enlightened ſtateſman, it is ſomewhat difficult to pronounce. It is not, for the moſt part, in crowded audiences, that truth is ſucceſsfully inveſtigated, and the principles of ſcience luminouſly conceived. But it is not difficult to pronounce whether the political lectures that are likely to be delivered by an impatient and headlong reformer, are entitled to approbation.

" We muſt reform," ſay the advocates of theſe lectures. True, we muſt reform. There is ſcarcely a man in Great Britain ſo ſtupid, ſo bigoted, or ſo ſelfiſh, but that, if the queſtion were brought fairly before him, he would give his ſuffrage to the ſyſtem of reform. But reform is a delicate and an awful taſk. No ſacrilegious hand muſt be put forth to this ſacred work. It muſt be carried on by ſlow, almoſt inſenſible ſteps, and by juſt degrees. The public mind muſt firſt be enlightened; the public ſentiment muſt next become unequivocal; there muſt be a grand and magnificent harmony, expanding itſelf through the whole community. There muſt be a conſent of wills, that no miniſter and no monopoliſt

would be frantic enough to withſtand. This is the genuine image of reform; this is the lovely and angelic figure that needs only to be ſhewn, in order to be univerſally adored. Oh, Reform! Genial and benignant power! how often has thy name been polluted by profane and unhallowed lips! How often has thy ſtandard been unfurled by demagogues, and by aſſaſſins been drenched and disfigured with human gore!

Proceeding then upon this conception of the ſubject, it is eaſy to perceive, that the enlightened advocates of reform will proceed with wary and cautious ſteps; that they will endeavour to inform the underſtandings of others, to invigorate their benevolence, and to appeaſe the tumult of their paſſions. Their labour ought to be inceſſant; their progreſs ought to be conſtant; the effects ought to be ſublime, but not terrible. Let us contraſt this with the ordinary and prevailing ideas of political lecturers.

It may happen, that a political lecturer ſhall commence his career with uncommon purity of intentions. I believe this has been the caſe with the political lecturer in Beaufort Buildings. But there are two things neceſſary

ceſſary beſide this favourable preliminary. The lecturer ought to have a mind calmed, and, if I may be allowed the expreſſion, conſecrated by the mild ſpirit of philoſophy. He ought to come forth with no undiſciplined paſſions, in the firſt inſtance; and he ought to have a temper unyielding to the corrupt influence of a noiſy and admiring audience. It almoſt univerſally happens to public ſpeakers, that, though they may begin with the intention of communicating to their auditors the tone of their own minds, they finiſh with the reality of bartering this tone for the tone of the auditors. Do the audience clap their hands, or employ other demonſtrations of applauſe? There is ſcarcely a Stoic upon the face of the earth ſo rigid, but he feels his own heart titillated and delighted with theſe ſenſible tokens of complacence. He obſerves what paſſages they are in his diſcourſe that produce the loudeſt tumults of applauſe; he aims at the frequent recurrence of ſuch paſſages; he feels diſcontented, if for any length of time he is merely liſtened to in ſilence. Add to this, he well knows that the moſt furious applauders are the moſt aſſiduous frequenters. It would be inconſiſtent with his purpoſe, if

he delivered ſuch diſcourſes as tended to drive away his hearers, or if he did not deliver ſuch as tended to bring them in ſtill augmenting multitudes.

To what end does this intellectual progreſs in the mind of the lecturer ultimately lead? Quiet diſquiſition and mere ſpeculative enquiry will not anſwer his purpoſe. Strict diſquiſition, eſpecially to perſons not much in the habits of regular thinking, is difficult to underſtand: it requires too active and laborious an attention. Add to this, that it does not ſuit the tone of collected multitudes. Sober inquiry may paſs well enough with a man in his cloſet, or in the domeſtic tranquillity of his own fire-ſide: but it will not ſuffice in theatres and halls of aſſembly. Here men require a due mixture of ſpices and ſeaſoning. All oratorical ſeaſoning is an appeal to the paſſions. The moſt obvious ſeaſoning of this ſort is perſonality. The lecturer infallibly learns in a ſhort time, to quit the thorny paths of ſcience, and to inveigh againſt the individuals that exerciſe the functions of government. Their vices are painted in caricature; their actions are disfigured, and uniformly traced to the blackeſt motives; a horrible

groupe

groupe is exhibited; all the indignant emotions of the human mind are excited. The audience do not haſten from the lecture-room, and hurry the miniſter to the lamp-poſt; their paſſions are only in training for deſtruction. The cauldron of civil contention ſimmers, but is not yet worked up into the inquietude of a tempeſt.

It would be ludicrous, if it did not excite a more painful ſenſation, to liſten to the ſaving clauſes that are, from time to time, introduced into the diſcourſe, to perſuade men to unbounded and univerſal benevolence. It is lord George Gordon preaching peace to the rioters in Weſtminſter-Hall. "Commit no "violence," ſaid his lordſhip, "but be ſure "you do not ſeparate, till you have effected "your purpoſe." It is Iago adjuring Othello not to diſhonour himſelf by giving harbour to a thought of jealouſy.

Good God! is this the preparation that befits us, in a time of criſis, and amidſt the moſt irreſiſtible neceſſity for a reform? I can do juſtice to the individual; I can ſee talents in him that might be ripened for the moſt valuable purpoſes: but I deplore the ſeeing them thus arreſted in their growth, and thus employed.

We

We have now taken a view of the principal features of that ſituation which has furniſhed the occaſion for introducing lord Grenville's and Mr. Pitt's bills. The commentary upon the ſituation is eaſy. The London Correſponding Society is a formidable machine; the ſyſtem of political lecturing is a hot-bed, perhaps too well adapted to ripen men for purpoſes, more or leſs ſimilar to thoſe of the Jacobin Society of Paris. Both branches of the ſituation are well deſerving the attention of the members of the government of Great Britain.

If, then, they be deſerving of attention, it is here that we are bound to recollect the ſort of attention which a wiſe ſtateſman, in theſe caſes, ought to employ. He is no true ſtateſman; he is a formidable and atrocious enemy of human kind, who, while exerciſing the functions of government, ſuffers himſelf to be made angry. Miniſters of Great Britain, attend! You ought to do ſo. You would be delinquents, if you did otherwiſe. But let your attention be calm; let your remedies be mild.

The great problem of political ſcience, is not to know how to lay an iron hand upon

popular

popular irregularities. If that were the caſe, Draco was the moſt ſucceſsful ſtudent that ever exiſted; unleſs his merits were perhaps eclipſed by the profounder policy of Tiberius and Caligula. The great problem of political ſcience, as we have already ſaid, is to know how to anticipate the injurious conſequences of irregularity by the mildeſt and leaſt perceptible antidote; to preſerve liberty in all its vigour, while we effectually diſcountenance licentiouſneſs. This fundamental axiom will hardly be diſputed with us. By this axiom therefore we proceed to try Lord Grenville's and Mr. Pitt's bills.

If ever a delicate and ſkilful hand were neceſſary in managing the public concerns, it was peculiarly neceſſary upon the preſent occaſion. Lord Grenville's bill relates to the moſt important of all human affairs, the liberty of the preſs. Mr. Pitt's bill touches upon one of the grand characteriſtics of Engliſh liberty, the fundamental proviſion of the bill of rights, the right of the ſubject to conſult reſpecting grievances, and to demand redreſs

One word more, before we proceed. No two human underſtandings are alike. No

two

two human underſtandings perhaps would preſcribe exactly the ſame conduct, under circumſtances that are in any degree complicated. Let us not then, cenſure lord Grenville and Mr. Pitt for trifles. They had an arduous taſk to perform, let us grant them a liberal allowance. They may have ſuggeſted a plan, a little better or a little worſe than would have occurred to the ſtudent in his cloſet: we will not differ with them for that. If they have diſcharged their taſk upon the whole with ſucceſs; if they have offered only a promiſing remedy for the evil, and preſerved uninjured the great palladiums of all that is intereſting to man, they ought not to incur our cenſure; they ought to receive a generous applauſe.

The title of Lord Grenville's bill is, *An Act for the ſafety and preſervation of his majeſty's perſon and government, againſt treaſonable and ſeditious practices and attempts.* Its profeſſed object is to provide additional ſecurities, for the ſafety of the royal perſon, and againſt ſuch proceedings and language, as may lead to popular tumult and inſurrection. It conſiſts of two parts, one enacting new treaſons, or definitions of treaſon, and the

other providing againſt ſeditious practices under the denomination of miſdemeanours.

The liberty of the preſs! If any thing human be to be approached with awe, it is this. If other men deſerve cenſure for trifling with public ſecurity, what cenſure do not miniſters deſerve, if they have ſo trifled? If leſſer offences, if a train of perſonal ſcurrilities, ought not in ſome caſes to be paſſed over without notice, what denomination ſhall we give to his offence, who offends againſt the liberty of the preſs, and who, while he offends, poſſeſſes the functions of government, can ſtrike as ſoon as threaten?

If in reality any proviſions be neceſſary againſt ſeditious writings, Heavens! with what caution, with what almoſt morbid ſenſibility ought ſuch proviſions to be conſtructed? I would ſay to the author of ſuch a bill, "Conſider well what it is that you are doing. You enter upon the moſt ſacred of all human functions. Do not, while you pretend to be a friend to the public welfare, ſtab the frame of the public welfare to the very heart!"

The manner in which the proviſions of lord Grenville's bill are worded, may be ſatisfactorily illuſtrated. For that purpoſe, I

will ſuppoſe theſe very pages to be conſtrued by the king's miniſter to have a tendency " to incite or ſtir up the people to hatred or diſlike" [What a word is this diſlike! What malignant genius introduced it into the bill? What a ſweeping term, that may mean any thing or every thing that the proſecutor ſhall be pleaſed to underſtand by it!]—" to incite or ſtir up the people to hatred or diſlike of the perſon of his majeſty, his heirs or ſucceſſors, or the eſtabliſhed government and conſtitution [where is the philologiſt that will give me a ſecure definition of theſe two words?] of this realm." Well, in that caſe, I am to be " liable to ſuch puniſhment as may by law be inflicted in caſes of high miſdemeanours;" and " for the ſecond offence, I am to be tranſported for ſeven years." The only ſecurity I have againſt the infliction of theſe penalties, the moment a proſecution is commenced againſt me, conſiſts in the hope, that the judge may be unbiaſſed and impartial; that the arguments of my counſel may be found in the experiment to be irreſiſtible; or that my jury in whole or in part may be perſons of a firm, independent, and intrepid temper. In the mean time the proſecution com-

commenced againſt me is a crown proſecution; it is attended in the courſe of it with the popular clamour againſt republicans and levellers; and people are to be reminded every day in the treaſury prints, that, upon the conviction of ſuch perſons as I am, depends the ſecurity of property, and all that is valuable in ſocial exiſtence.

Who does not ſee, that, if I write a pamphlet or book in which any political queſtion is treated or incidentally mentioned, I may ſuffer the penalties of this act? Who does not ſee, that, if the king's miniſter do not like my pamphlet, or do not like my face, if he have an old grudge againſt me for any paſt proceeding, if I have not proved a fortunate candidate for his general good-will, or if, by any diſtortion of underſtanding, or exceſſiveneſs of alarm, he be led to ſee in my pamphlet things it does not contain, I may ſuffer the penalties of this act? My after hopes are in the judge, that he ſhall have no inclination to gratify his majeſty's miniſter; in my counſel, that he ſhall be able to convince men who may be predetermined againſt conviction; or in the jury, that they ſhall be undecided by hopes or fears, from government, or any of the intemperate and indiſ-

criminate friends of government; or that the honeſt part of them ſhall be more enlightened, more determined, and better able to endure hunger and fatigue, than thoſe who are diſpoſed to conſult only the voice of intereſt? This is the lottery, from which I am to draw my ticket. This is the game, at which I am to play for the liberties of an Engliſhman. The words of the bill are expreſsly calculated to afford the wideſt field for ſophiſtry, and the moſt convenient recipe for quieting the awakened conſcience of a delinquent jury or judge.

Surely, lord Grenville, you might have found milder penalties, that would have been equal to cure the miſchief in queſtion, if in reality any new law and any penalties were neceſſary for that purpoſe! But the caſe is too plain. Miniſters have indeed ſtudied in the ſchool of Draco. Did they ſeek to diſcover by how mild or by how ſmall an interference the evil might be adequately prevented? No, no: he muſt be weaker than an idiot that can yield to ſuch an impoſition. On the contrary, miniſters gladly ſeized the opportunity to provide a remedy ten times larger than the evil in queſtion; to provide a remedy that would ſuit all their purpoſes; that would ſuit all the

purpoſes

purpoſes of private revenge or ſanguinary alarm: a remedy ſo large, as ſhould render them ſecure that they would never need to come to parliament again, however much any future evil might differ from the evil now to be provided againſt.

The ſpirit of this bill is evidently to put an engine into the hands of miniſters, calculated for their uſe in every imaginable emergency. There is no caſe to which this bill may not be ſtretched; there is no offence, preſent or future, definite or indefinite, real or fictitious, that it may not be made to include.

A ſtriking illuſtrarion of this is afforded us in one of the clauſes, which is well calculated by its conſtruction to explain and develop the intention of the whole. Lord Grenville ſtated in the houſe of lords, "that all the clauſes, except the two principal clauſes, the object of which is to define the new treaſons created by this bill, and the crime of ſedition, are calculated for the benefit of ſuch perſons as may be ſuppoſed to have offended againſt it." The firſt of theſe clauſes enacts, "that no perſon ſhall be proſecuted by virtue of this act, unleſs it be by order of the king, his heirs or ſucceſſors, under his or their ſign manual, or by order

der of the privy council." What is the ſpirit of this clauſe? To a ſuperficial obſerver, or to him who ſhall be diſpoſed to give implicit credit to the aſſertion of a ſecretary of ſtate, the clauſe may indeed ſeem favourable to the ſubject: it tends to limit and ſuperſede vexatious proſecutions. But, if we conſider it more profoundly, it will not be found to authoriſe ſo gentle a conſtruction. The clauſe in fact amounts to no leſs than an explicit acknowledgment of the iniquity of the bill. Other acts of parliament are directed againſt real offences: other acts of parliaments profeſs to deſcribe and define the objects they have in view. They may therefore be truſted to the ordinary courſe of juſtice, every man is free to execute and inforce them. But this bill is a ſacred inſtrument. No ordinary hand may touch it. As it is equally adapted for every purpoſe that the wantonneſs of power, or the wantonneſs of malice can deſire; it is therefore not to be confided to the diſcretion of an ordinary ſubject. Private men are to know nothing of it, except as they may happen to ſuffer under its penalties. It is the conſecrated engine of tyranny; it is the open and avowed enaction of an arbitrary power.

Another

Another uſe has been ſuggeſted for this extraordinary clauſe. There is a numerous body of men, who have lately been ſuppoſed inſeparable from the maintenance of the preſent conſtitution of things in this country; a body better known in France before its late revolution: I mean the army of ſpies and informers. Theſe men, if the execution of the law had been truſted to vulgar hands, might have been expoſed to vexatious ſuits under ſome of its proviſions. Government, by taking the whole into its own management, and preventing ordinary individuals from touching this conſecrated palladium of the new order of Engliſh politics, have guarded againſt this evil. Seditious and turbulent reformers may be puniſhed under this act; but men, whatever they be, that are ſheltered by adminiſtration, cannot be vexed.

A farther circumſtance may deſerve to be mentioned, as calculated to illuſtrate the generalities of lord Grenville's bill. This will be rendered particularly conſpicuous by a reference to the ſpeech of biſhop Horſley, in the committee upon this bill in the houſe of lords, Wedneſday, November 11th. This ſpeech is memorable for more reaſons than

one. In it, his lordſhip delivered a very conciſe maxim, which upon ſecond thoughts he was pleaſed to endeavour to qualify and explain, though he refuſed to retract. The maxim was, that he " did not know what the " maſs of the people in any country had to do " with the laws, but to obey them." But it is not for the ſake of this paſſage, that the mention of biſhop Horſley's ſpeech is introduced in this place. The following expreſſion, which appears to have fallen from him, is particularly worthy of animadverſion: " Common ſpeculative and philoſophical diſ- " quiſitions might be ſtill written and pub- " liſhed, though he always thought they did " more harm than good; for the bill was " merely directed againſt thoſe idle and ſedi- " tious public meetings for the diſcuſſion of " the laws, where the people were not com- " petent to decide upon them."

No topic can be more important, than that which is ſtarted by the reverend prelate in theſe remarks. It is a queſtion that well may " give us pauſe." The diſtinction of his lordſhip is well and judiciouſly taken. It is no doubt one thing to diſcuſs political queſtions in mixed and fortuitous aſſemblies; it is

one

one thing to enquire into the ill conſequences that may reſult from ſuch tumultuary and paſſionate diſcuſſions; it is one thing to enquire into the reſtraints that may reaſonably be put upon aſſemblies and proceedings of this ſort; and it is a thing ſomewhat different, to enquire whether we ſhall contribute, to the extent of our power, once for all, to extinguiſh the future proſpects and hope of mankind; to put a violent termination upon the boundleſs progreſs of ſcience, of that ſcience in particular which is moſt immediately and profoundly intereſting to the whole human race. It would be a project indeed of gigantic dimenſions, that, in this advanced period of human improvement, ſhould command us to baniſh all the profeſſors and cultivators of ſcience, or to aſſaſſinate them. Lord Grenville, in that caſe, would no doubt ſtand forward to the lateſt poſterity as one of the moſt diſtinguiſhed names, one of the moſt daring and hardy adventurers, in the records of hiſtory. Omar, the conqueror of Alexandria, would be but a fool to him. Omar did not execute the wantonneſs of his tyranny upon the perſons of men of letters; he only deſtroyed their works. Robeſpierre

is accuſed of having harboured a mortal animoſity againſt men of letters: but this is probably a calumny, and we ſhould ſcorn to calumniate even Robeſpierre. But aſſuming the fact, lord Grenville would appear, but for the explanation of biſhop Horſley, to have far outſtepped the tyrant of France. Robeſpierre merely made uſe of exiſting maxims, and applied them to the gratification of his paſſions. He perſecuted men of letters in an indirect manner. But lord Grenville, upon this ſuppoſition, would have introduced a bill in which they were clearly deſcribed, and have ſaid, "It is only neceſſary "for you to have cultivated the moſt im- "portant of all ſciences, to make you liable "to the penalties of my bill." Much gratitude is due to biſhop Horſley, for having, in the paſſage above cited, ſo clearly marked out the diſtinction between the idle and inflammatory preachers of ſedition, and the great apoſtles and champions of human intellect, and explained to us to whom the law did and did not apply.

Here let us pauſe a little. Is biſhop Horſley's commentary in reality a juſt one? Who is this celebrated prelate? Let us ſuppoſe

poſe him, for the ſake of argument, to be the greateſt man in exiſtence: are his doctrines to be received as upon a level with the laws of the land, with enactions of king, lords, and commons, in parliament aſſembled? What the biſhop ſays is good, ſound reaſon and juſtice. True: but what then? I look through the act of parliament, and I cannot find it there. Like Shylock, "I cannot find it in "the inſtrument: It is not ſo nominated in "the bond!"

Biſhop Horſley is an excellent moraliſt and politician. No doubt of it: but what of that? Can he grant me a *noli proſequi?* Can I bring his ſpeech into court, and offer it as a writ "to ſhew why judgment ſhould not paſs "upon me?"

Lord Grenville, and the authors of the bill mean exactly what biſhop Horſley has expreſſed. We will grant that; we will not ſtay to debate about trifles. But this aſſumption only exhibits in a more atrocious light the iniquity of the bill.

Was the omiſſion of every proviſion for this purpoſe an affair of accident? We may hence learn what value they ſet upon the liberties of

Engliſhmen, and the moſt important intereſts of mankind.

Was it deſign? Did they intend to have all the literature of England, original or tranſlated, and all its votaries at their mercy?

But the matter lies deeper than we have yet ſeen. It is worth our while to enquire what would be the penalty awarded to the author of Hume's Idea of a Perfect Commonwealth, or Rouſſeau's Treatiſe of the Social Compact, if they were living, and if theſe works were publiſhed during the operation of Lord Grenville's bill.

Hume and Rouſſeau appear in theſe treatiſes to have been republicans. Republicaniſm is a doctrine miſchievous and falſe. Be it ſo. But there can be no enquiry and no ſcience, if I am to be told at the commencement of my ſtudies, in what inference they muſt all terminate. Labouring under this reſtraint, I cannot examine; labouring under this reſtraint, I cannot, ſtrictly ſpeaking, even attempt to examine. No matter how deciſive are the arguments in favour of monarchical government; if men enter freely upon the diſcuſſion, there will be ſome, from ſingularity of temper, or peculiarity of prejudices

dices which they are unable to correct, who will determine in favour of republicaniſm. The idea of combining uniformity of opinion in the ſequel, with liberty of enquiry in the commencement, is the moſt impoſſible and frantic notion that ever entered into the mind of man.

What men imagine they ſee in the way of argument, they can ſcarcely refrain from ſpeaking, and they ought to be permitted to publiſh. All republican writers (Hume is an eminent example) do not appeal to our paſſions; all appeals to our paſſions do not menace us with the introduction of univerſal anarchy. Conſidering how triumphant the arguments in favour of monarchy are affirmed to be, we ſurely ought not to be terrified with every philoſophical debate. It is a well known maxim of literature, that no principle upon any controverſial ſubject, can be ſo ſecurely eſtabliſhed, as when its adverſaries are permitted to attack it, and it is found ſuperior to every objection. A ſober and conſiderate obſerver will have ſtrange thoughts that ſuggeſt themſelves to him, reſpecting the moſt venerable and generally received maxims, if he find that every perſon who ventures to

enter

enter upon an impartial examination of them, is threatened with the pillory.

A few words are due to thoſe perſons who, imbued with the ſcepticiſm incident to inquiſitive habits, may be in doubt whether the monarchical or republican opinion will ultimately appear to be the moſt ſound, or which of them will ultimately prove victorious. A doctrine oppoſite to the maxims of the exiſting government may be dangerous in the hands of agitators, but it cannot produce very fatal conſequences in the hands of philoſophers. If it undermine the received ſyſtem, it will undermine it gradually and inſenſibly; it will merely fall in with that gradual principle of decay and renovation, which is perpetually at work in every part of the univerſe.

Having here endeavoured to define the tendency of what biſhop Horſley calls "common "ſpeculative and philoſophical diſquiſitions," let us ſee whether they fall within the proviſions of this bill, and what is the puniſhment adjudged againſt them. Under the ſeditious branch of the bill, we find theſe words: "If any perſon or perſons ſhall maliciouſly "and adviſedly, by writing, printing, preach-

"ing,

" ing, or other ſpeaking, expreſs, publiſh,
" utter, or declare, any words, ſentences, or
" other thing or things, to excite or ſtir up
" the people to hatred or diſlike of the per-
" ſon of his majeſty, his heirs or ſucceſſors,
" or the eſtabliſhed government and conſti-
" tution of this realm, then he or they ſhall
" be liable to ſuch puniſhment as may by law
" be inflicted in caſes of high miſdemeanours."
This clauſe needs no comment. Whatever were the intentions of the authors of the bill, into which perhaps it would be profane for us to enquire, nothing is more certain than that the clauſe may eaſily be wreſted to include " common ſpeculative and philoſophical diſ-
" quiſitions."

Well then, the author of every ſpeculative and philoſophical diſquiſition, is at the mercy of the miniſter for his firſt offence—[let it be recollected, that by offence is here underſtood every enquiry, however temperate; every argument, however ſolid and acute; every inſtruction to mankind; however ſalutary and beneficial, for all theſe may, at the mercy of the miniſter for the time being, be brought within the proviſions of this act]—he is liable, I ſay, for his firſt proceeding of this

this ſort, to fine, impriſonment, and pillory; and for the ſecond to be tranſported to Botany Bay.

This is ſomething; this might ſatisfy the moſt inordinate appetite for arbitrary power. Philoſophy and ſcience, in all their moſt eminent branches, though venerable as the pillars of the world, are by this act ſent to ſchool to lord Grenville. He is to teach them good manners; he is to brandiſh over them the rod of correction; he is to ſubject them to the rigours of ſuch diſcipline as to his judgment ſhall ſeem meet.

Philoſophy and ſcience, we might imagine, are in this clauſe amply provided for. But there is no end to the paternal attention of his majeſty's miniſters. Let us paſs from the inferior branch of lord Grenville's bill to the principal, *viz.* that which relates to the crime of high treaſon. Here it is provided, that "if any perſon or perſons ſhall compaſs, imagine, invent, deviſe, or intend, death or deſtruction, or any bodily harm, tending to death or deſtruction, maim or wounding, impriſonment or reſtraint of the perſon of our ſovereign lord the king, his heirs and ſucceſſors, or to deprive or depoſe him

" or them from the ſtyle, honour, or kingly " name of the imperial crown of this realm, " then ſuch perſon or perſons ſhall be ad- " judged guilty of high treaſon."

This clauſe is ſufficiently complicated in its ſtructure. It is neceſſary to read it more than once, before we can completely underſtand it, or perceive to what ſubſtantives the government of the different verbs and participles it contains, are to be conſtrued to extend. But we will paſs over this circumſtance. Unhappily lord Grenville's bill, if it paſs into a law, will not be ſingular in this reſpect. We too often ſee the lives and liberties of men ſuſpended upon hair-breadth conſtructions, upon diſtinctions of grammar, and ſubtle, philological diſcuſſions reſpecting the meaning of words. This is a ſpectacle to which we have been too long accuſtomed, for it to be capable of exciting in us any degree of wonder.

The immediate purpoſe for which we quoted this clauſe, was to enquire whether or no, in ſober certainty, " common ſpeculative " and philoſophical diſquiſitions," fell within the letter of this definition of high treaſon. Hume's Idea of a Perfect Commonwealth,

contains principles that are either true or falſe. We will ſuppoſe this wonderful genius, the great ornament of Engliſh literature, who gave new delicacy to human language, new profoundneſs to hiſtorical compoſition, and new luſtre to the events of the Britiſh annals; this genius, who dived into the depths of intellectual ſcience, who diſcovered new treaſures where the greateſt men of every age had ſearched before, and who, whether his concluſions ſhall ultimately be admitted as true or rejected as falſe, has certainly given that additional acuteneſs to philoſophical reaſoning by which mankind will be benefited as long as literature ſhall endure—we will ſuppoſe, I ſay, this wonderful genius to be arraigned as the author of the compoſition juſt mentioned.

What ſhall be his behaviour at the bar? Shall he deſcend to the pitiful artifice of diſowning this able production, and truſt that government will not be able to bring it home to him in the way of legal proof? Shall he allege, "the principles of my performance "are falſe, they will be eaſily refuted, and "will never produce any perceptible effect?" Or ſhall he affirm at once, "the performance

"is

" is mine, and its principles are true?" In that caſe, the attorney-general retorts upon him, " they are calculated to produce an effect; they tend " to incite and ſtir up the " people to hatred or *diſlike* of the perſon of " his majeſty, *his heirs or ſucceſſors*, or the " eſtabliſhed *government and conſtitution* of " this realm:" nothing more plain. They tend ſooner or later to the diſſemination of republican principles." Hume then upon this charge is to be fined, impriſoned, and ſet in the pillory; and, if he afterwards authorize the republication of his eſſay, he is to be tranſported to Botany Bay.

Stop a moment. This was not the purpoſe for which the queſtion was here introduced. The buſineſs was to enquire, under lord Grenville's bill, whether or no he were guilty of high treaſon. Hume, for publiſhing his Idea of a Perfect Commonwealth, guilty of high treaſon! conducted to the place of execution, and there hanged, drawn, and quartered!

Nothing is more indiſputable, than that he might, with equal propriety, be proſecuted under the firſt, as under the ſecond branch of lord Grenville's bill. There is no need of a laboured proof to ſhew, that, in publiſh-

ing his Idea of a Perfect Commonwealth, he had ſome intention. His intention was to reconcile men by degrees to republican principles, or at leaſt to wean them from the prevailing prepoſſeſſions againſt theſe principles. He is guilty therefore under the clauſe of "compaſſing, imagining, deviſing, inventing, or "intending, to deprive or depoſe our ſovereign "lord the king, or his heirs and ſucceſſors, "from the ſtyle, honour, or kingly name "of the imperial crown of this realm."

But there is a more extraordinary circumſtance behind. The authors of the bill, as if fearful that ſome lenient, or over-merciful judge might imagine that the publication of ſuch a book as Hume's Idea of a Perfect Commonwealth, was not high treaſon, have proceeded more preciſely to limit and define the meaning of the clauſe, which they do in the following words: "And [if ſuch perſon or per-"ſons] ſuch compaſſings and imaginations, "inventions, deſires or intentions, or any of "them ſhall expreſs, utter, or declare, by any "*printing*, *writing*, preaching, or malicious and "adviſed ſpeaking, then every ſuch perſon or "perſons ſhall be adjudged guilty of high "treaſon." Thus "common ſpeculative and

"philoſo-

" philoſophical diſquiſitions" are expreſsly declared to come within the deſcription of high treaſon; and, what is more curious, nothing but printing, writing, preaching, or ſpeaking, is high treaſon within the conſtruction of this act.

I am perfectly aware that lord Grenville and the other authors of this bill, will ſtart with aſtoniſhment at the explanation I have given. They are innocent; they never had it in contemplation to involve philoſophical writers, who ſhould ſcientifically diſcuſs the nature of the human mind, or the operations of man in a ſtate of ſociety, in the pains of high treaſon. I have no doubt of it. But what follows from this? Obſerve, Engliſhmen, " what manner of men" are your legiſlators! Obſerve " what manner of men" are ſelected for the king's miniſters, and whoſe peculiar office it is to make laws, upon which the tenure of human life is ſuſpended! " They " know not what they do." Is this a ſufficient apology? When they have made laws, no men ſo much aſtoniſhed as they, if a ſober enquirer comes and tells them the meaning of them. They " breath out threatenings and " ſlaughter," they " throw about firebrands,"

and

and riſk at every moment a conflagration of the edifice of our liberties; and they "ſay, "Are we not in ſport?" Such is the government under which we live. They ſhut up a magazine, containing an extract of every human evil, in the ſmalleſt compaſs, and then preſent it to us as an advantage. If at ſome future time Pandora's box be uncloſed, then, and not till then, they will know, that what they paſſed for an odoriferous perfume, is in reality the moſt deadly poiſon.

One obſervation more upon lord Grenville's bill, and it ſhall then, for the preſent, be diſmiſſed. Under both branches of the bill, "ſpeaking," "expreſſing, publiſhing, ut-"tering, or declaring any words, ſentences, or "other thing or things," make a part of the deſcription of the offence hereby created. In the firſt clauſe indeed it is underſtood that miniſters, in their extreme benignity, intended to withdraw ſpeaking from the enumerations of the bill; and I am no longer to be liable, for ſaying in the courſe of a caſual converſation by my own fire-ſide, that, "in the abſtract, "I like a republican government better "than monarchy," to be hanged, drawn, and quartered. I am only, firſt, to be pilloried, and

afterwards

afterwards tranſported to Botany Bay. " The " tender mercies of the wicked" are inſtructive. Nor is it leſs eſſential to the rightly underſtanding theſe bills, that we ſhould conſider them as they originally ſtood, than as they may be ſubſequently altered.

It is not eaſy to pronounce whether this clauſe, I mean the clauſe ſubjecting a man, for all manner of ſpeaking, to impriſonment and tranſportation, is to be conſidered as more or leſs atrocious than the clauſes reſtraining the liberty of the preſs. In one reſpect it is worſe. It extends to every man, and no man can pretend ſucceſsfully to guard himſelf againſt its ſanctions. But in other reſpects it is leſs iniquitous. It is impoſſible to be carried into general execution. It does not reach ſo high, or wound ſo effectually. Common converſation indeed may, at firſt ſight, appear to be more emphatically the general intereſt and concern of mankind. But perhaps, upon farther conſideration, we ſhall retract that opinion. It is not upon common converſation, but upon ſcience and the art of writing, that all that is dignified, all that is ennobling, all that is exquiſite and admirable in human nature, depends. Brutes have a

ſort

ſort of common converſation; and, if we had nothing higher to depend upon for our welfare but common converſation, we ſhould ſpeedily degenerate into a ſpecies of brutes.

Having thus endeavoured to guard againſt the laying too much ſtreſs upon this prohibitory clauſe, againſt ſpeaking; or rather having endeavoured to ſhew, that it is not the worſt of the *overſights* of lord Grenville's bill, let us attend a little diſtinctly to its operation. It might moſt properly be termed, a clauſe for creating a national militia of ſpies and informers. Henceforward it will be idle to ſuppoſe, that any man (eſpecially any man who is unacceptable to his majeſty's miniſters) is ſafe. He may be unalterably determined againſt every ſpecies of conſpiracy or political conſultation. He may throw away his ink and his pens, and determine never to commit another word to paper. He may reſolve never, upon any account, to ſell, give, or lend any book, paper or writing. Theſe are no trifling precautions; theſe are precautions that ought, in all reaſon, to indemnify a man againſt the penal proviſions of a political act of parliament. He may go farther than this; he may determine never more to open his

mouth upon any political topic, direct or indirect. He may confine himself to directions to his servants, and counting the clock. Nay, if that shall not be thought refining too idly, he may enter into a vow not to utter any articulate sound; yet he is not safe. If he speak, his words may be distorted; and, if he be silent, he may be proved, by legal evidence, to have damned the king, and may be sent to Botany Bay.

Against this last supposition perhaps it may be alleged, "that the defect of lord "Grenville's bill, is a defect that it possesses "in common with every penal Act of Parlia-"ment. Any innocent man may be proved "by legal evidence, to be guilty of any crime, "and may be punished accordingly." But no: lord Grenville's bill is not upon a level with every penal Act of Parliament. It is not easy to prove any man guilty of any crime; and exculpatory circumstances, of various kinds, and of the most satisfactory nature, may be collected, to refute a calumniatory accusation. But speaking is a crime that requires no ingenuity to invent, and no contrivance to support; and it is a crime [Good God! speaking in any

manner, a crime!] the moſt difficult of all others to be diſproved.

It will perhaps be thought too trite, if we were to dwell, in this place, upon the ill conſequences to reſult from inſtituting a national militia of ſpies and informers. What kind of a man is a ſpy? He is a man that inſinuates himſelf into your confidence in order to betray you. He pretends to be uncommonly vehement and intemperate, that he may excite you to be the ſame. He watches your unguarded moments, he plies you with wine, that he may excite you to ſpeak without reſtraint. He undertakes to remember words, and he has an invincible bias upon his mind, inducing him to conſtrue them in a particular way, and inſenſibly to change them for words more definite and injurious. His very income depends upon the frequency of his tales, and he is paid in proportion as the tales that he brings, whether true or falſe, tend to the deſtruction of the perſons to whom they relate.

Miſerable beyond compare muſt be the ſtate of that country, where ſuch men as this are to be found in every town, in every ſtreet, in every village, and in every houſe. "Evil

"communications

"communications corrupt good manners." It is impoſſible that I ſhould continually aſſociate with knaves, without loſing ſomething of the unſullied luſtre of my virtue. Two virtues are moſt important in civil ſociety; frankneſs, that I ſhould practiſe no duplicity, that I ſhould play no part under a maſk; and mutual truſt and confidence. Now, what confidence can there be, when men are ſurrounded with ſpies and informers? When, from the frequency of the phenomenon, I am unable certainly to tell, whether my friend or my brother be not a man, whoſe trade is accuſation, and who will one day cauſe me to be be tranſported or hanged? In a country where the exiſtence of ſpies and informers is frequent, the whole nation muſt, of neceſſity, be made up of two claſſes of hypocrites: hypocrites, who hold out a falſe appearance, the better to enſnare; and hypocrites, who hold out a falſe appearance, that they may not be enſnared.

So much, for the preſent, for lord Grenville's bill.

We will now proceed to the conſideration of Mr. Pitt's bill. Lord Grenville's bill is probably the moſt atrocious, becauſe writing

and the publication of ſcience, are probably, of all imaginable things, the moſt eſſential to the welfare of mankind.

Mr. Pitt's bill however is of no trivial importance. It is, as we have already ſaid, a direct attack upon the moſt eſſential proviſion of the Bill of Rights, the proviſion, that authorizes the inhabitants of Great Britain, to conſult reſpecting their grievances, and to demand redreſs.

This is, in many reſpects, like moſt of the fundamental topics of government as they relate to a great nation, a ſubject of extreme delicacy. For men to aſſemble in conſiderable numbers, particularly with a view to the reformation of abuſes, is perilous, and may lead to violence. To prohibit them from aſſembling, may lead to the ſame thing in a worſe form. The longer diſcontents are pent up and concealed, the more furiouſly they may be expected to break out at laſt. The Bill of Rights has ſolved this ænigma in political ſcience, ſo far as relates to the people of Great Britain, and has authorized the people to meet, of courſe expecting from government a vigilant attention to their ſubſequent proceedings.

The

The firſt ſtrong meaſure that was taken, reſtraining, within narrower limits than thoſe of the Bill of Rights, the right of the inhabitants of this country to aſſemble, was the act of 1 George the Firſt, cap. v. commonly called the Riot Act. That act has been thought by ſome of the beſt judges and ſtateſmen who have exiſted ſince that period, to be the capital blemiſh of the Engliſh ſtatute book. It was the fifth public act of the firſt year of George the Firſt; and the period at which it was made, is to be conſidered as perfectly unique. The king landed from Hanover on the 18th of September; and his predeceſſor, queen Anne, died on the firſt of Auguſt preceding. At the moment of her death it was a matter of complete uncertainty, whether the ſon of king James the Second, or the elector of Hanover, would be her ſucceſſor. Men's minds were divided between the two claimants; and it is commonly ſuppoſed that the majority of the nation was in favour of the repreſentative of the houſe of Stuart. At this period the Riot Act was paſſed, when king George was not yet warm in his throne, when it was uncertain how long he would remain the acknowledged ſovereign of Great Britain, and when a

rebellion

rebellion was already fermenting in the kingdom, which broke out a few months after. The expreſs and avowed purpoſe of this law was to counteract the alarming ſpirit of diſaffection; but it unfortunately happened that the proper clauſe for declaring the act to be temporary was omitted, and it followed in this, as in other memorable inſtances, that an act, made to provide againſt a tranſitory emergency, has been, in a blind and indirect way, placed in perpetuity upon the ſtatute books. Mr. Pitt's bill however goes infinitely farther than the Riot Act. I ſhall only inſiſt upon a few leading particulars and not go into the ſame detail reſpecting it, that I have done reſpecting lord Grenville's bill.

The moſt ſtriking proviſion of Mr. Pitt's bill, relates to the neceſſity under which every perſon is placed, of directly ſummoning a magiſtrate to attend the meeting which he has called together; and to the powers to be exerciſed by that magiſtrate, when preſent. The magiſtrate is empowered to ſilence any ſpeaker in any part of his ſpeech, and to diſperſe the meeting in any ſtep of its proceedings. He is to employ his own judgment and diſcretion, as to whether that part of the

ſpeech

ſpeech, or ſtep of the proceedings, is in any way dangerous or unauthorized, and every perſon, who is purpoſely, or caſually preſent at the meeting, is required, under heavy penalties, to yield him implicit and inſtant obedience, and repair to his own home at the word of command.

It is improbable that a greater inſult was ever put upon any thing appearing in human form, than is contained in theſe enactments. Was ever an authority created more deſpotic, more diſgraceful, and that it was leſs practicable to endure? Better, much better, and infinitely more manly, would it have been, totally to have prohibited all meetings out of the ordinary courſe, than thus impudently to have exhibited the mockery of permitting them. What ſort of materials muſt that man be made of, who will reſort to any meeting under ſuch reſtrictions? It is impoſſible to conceive that any perſon upon reflection will, after the paſſing of this bill, reſort to any meeting of a political nature, unleſs it be one of thoſe portentous meetings, of which we have ſometimes heard, where men come together with the reſolution to "ſucceed or die."

Who will anſwer for himſelf that, in the act

of ſpeaking, he ſhall conſent to ceaſe, at the moment the auctioneering magiſtrate ſhall give the ſignal with his hammer? Who will anſwer for himſelf that, though not ſpeaking, his thoughts ſhall be under ſuch ſevere diſcipline, as to leave him in readineſs to depart the inſtant he is bid to do ſo? Who will anſwer for himſelf that the folly, the miſconſtruction or the malice of this inſolent magiſtrate [even magiſtrates have been known to be inſolent] ſhall not excite in him the ſmalleſt indignation? No ſtate of a human being can be deviſed more ſlaviſh, than where he is told, that he muſt not expoſtulate; he muſt not anſwer; the maſter claps a padlock upon his lips and he muſt be ſilent; he muſt not have an opinion of his own. Even ſuppoſing a man to be imbued in the higheſt degree with the principles of paſſive obedience, if the whole aſſembly be not ſo drilled as to obey the word of command, he may be hemmed in, in ſpite of his efforts, and committed for trial, or ſhot by the military.

Let us paſs from the enactment of the bill in this reſpect, to the penalty by which it is to be inforced. Three days' impriſonment would be too great a puniſhment in this caſe, and would be altogether intolerable to a man of a

lofty

lofty and independent ſpirit. What then muſt be the feelings of any man imbued with the principles of morality or humanity, when he finds that the penalty, as ſtated by Mr. Pitt in opening the nature of the bill, is that of felony without benefit of clergy? What ſort of hearts are theſe men endued with? What ſort of underſtandings? They ſcatter about puniſhments upon every occaſion, and the puniſhment of the ſlighteſt offence is death. They know no principles of compariſon, they are dead to every feeling of the heart, they pronounce with total indifference the puniſhment of death upon multitudes yet unborn; In the ſpirit of king Richard in the play, "I will not dine, "until his head be brought me!"

Well may theſe men be the enemies of ſcience, well may they declare every philoſopher who inveſtigates the nature of man or ſociety ſubject to the pains of high treaſon; well may they emulate the irruptions of the Goths and Vandals, who ſpread barbariſm and intellectual darkneſs over the whole face of the earth! They know no touch of civilization; they were never humanized by ſcience or art; they come forth in all the pride of ignorance; laugh at the ſcruples of human kindneſs, and tram-

ple upon all the barriers by which civil ſociety can alone be preſerved.

Having commented upon the principal branch of Mr. Pitt's bill, it ſeems as unneceſſary as it would be odious, to follow him through all its detail. I will not attend him through all his ſplittings and diſtinctions, of ſixpences to be paid at the door, or tickets to be delivered or ſhewn; of the number of perſons that may be preſent in any one houſe without a licence; or the clauſes and riders by which he will perhaps hereafter endeavour to ſave card-clubs and ladies' routes from the general devaſtation. It would, no doubt, be inſtructive to purſue him through all theſe labyrinths; it would detect his ſterility, and uncover his nakedneſs. But this office will be performed by ſkilful hands; and it is neceſſary to the purpoſe of theſe pages, that the argument they contain ſhould be compreſſed and ſtriking.

We have now gone through, as far as ſeems to be neceſſary upon the preſent occaſion, the direct conſideration of the two bills. There is however one hiſtorical conſideration, to which it is material to turn our attention, before we proceed to ſum up the different parts of the

the argument. Lord Grenville, in opening the nature of his bill in the houſe of lords, obſerved, that it was founded in the precedents of other times, and therefore could not be regarded as an innovation. The precedents to which he referred, were from the reign of queen Elizabeth and of king Charles the Second. In this ſtatement he was, no doubt, for the moſt part well founded. The bill he introduced is, in ſeveral important reſpects, a tranſcript of a temporary act of 13 Elizabeth, and 13 Charles the Second.

In referring us to theſe precedents, lord Grenville is to be regarded as the vehicle of an important inſtruction. When the meaſures of the preſent day are borrowed from former times, it is one of our indiſpenſible duties, to look to thoſe times, and conſider the ſpirit in which the meaſures originated.

One of the firſt conſiderations that ſuggeſts itſelf reſpecting the precedents of lord Grenville is, that they are drawn from times anterior to the revolution. They are not therefore ſuperior to all ſuſpicion. It was once the mode to talk of "the Engliſh conſtitution "as ſettled by the glorious revolution." Whether it be the purpoſe of lord Grenville and

Mr. Pitt to cure us of this antiquated prejudice, time will effectually ſhew. I remember to have heard lord chief baron Macdonald, then attorney-general, upon the trial of Thomas Paine, obſerve, " that our glo-" rious and incomparable conſtitution exiſted " from the earlieſt accounts of time, and " was recognized by Julius Cæſar." But other men, better informed, or more modeſt than lord chief baron Macdonald, will probably acknowledge, that England, like the other countries of Europe, was, at a period greatly ſubſequent to Julius Cæſar, ſubject to the feudal tyranny; that all theſe countries about the ſame time endeavoured to ſhake off the yoke; that the ſtruggles of ſome were more ſucceſsful than of others; and that it was not till after frequent viciſſitudes of anarchy and oppreſſion, that England acquired her " conſtitution as ſettled at the glo-" rious revolution."

Let us conſider the ſpirit of the times of queen Elizabeth and king Charles the Second. The liberty of the commons of England began to aſſume ſome faint appearance of a definite form, about the time of king Edward the Firſt. The progreſs, though ſmall, was nevertheleſs

progreſs,

progreſs, nearly down to the cloſe of the fifteenth century. The improvements indeed were ſlight, they were attended with ſtrong contradictions and ſymptoms of deſpotiſm, ſuch as will for ever be incident to a barbarous age; but ſtill they accumulated. The bloody contentions however of the houſes of Lancaſter and York, ſeemed to have deſtroyed the moſt valuable principles and inſtitutions of a regular ſociety. Henry the Seventh was deſpotic; Henry the Eighth was ſtill more ſo. The very name of liberty ſeemed to be forgotten; and the only conteſts that are of importance in our hiſtory, were upon the ſubject of religion, and were produced by the reformation. With the puritans commenced the revival of ideas of liberty. They oppoſed the deſpotiſm of the eſtabliſhed church; civil liberty "lay immediately in their path, and "they found it." The firſt regular oppoſition in parliament under the houſe of Tudor, appeared in the reign of queen Elizabeth. It will be a matter both of curioſity and importance, to recur to Hume's account of the ſeſſion of parliament in which that bill was drawn, which lord Grenville has attempted to revive upon the preſent occaſion.

"A

" A new parliament, after five years in-
" terval, was aſſembled at Weſtminſter. We
" ſhall be ſomewhat particular in relating the
" tranſactions of this ſeſſion, becauſe they
" ſhew, as well the extent of the royal
" power during that age, as the character of
" Elizabeth, and the genius of her govern-
" ment. It will be curious alſo to obſerve,
" the faint dawn of the ſpirit of liberty among
" the Engliſh, the jealouſy with which that
" ſpirit was repreſſed by the ſovereign, the
" imperious conduct which was maintained
" in oppoſition to it, and the eaſe with which
" it was ſubdued by this arbitrary princeſs."
Vol, V. ch. xl. page 173.

" A motion made by Robert Bell, a pu-
" ritan, againſt an excluſive patent granted
" to a company of merchants in Briſtol, gave
" occaſion to ſeveral remarkable incidents.—
" Sir Humphrey Gilbert, the gallant and re-
" nowned ſea-adventurer, endeavoured to
" prove the motion made by Bell to be a
" vain device, and perilous to be treated of;
" ſince it tended to the derogation of the pre-
" rogative imperial, which whoever ſhould
" attempt, ſo much as in fancy, could not, he
" ſaid, be otherwiſe accounted than an open
" enemy.

" enemy. For what difference is there be-
" tween ſaying that the queen is not to uſe
" the privilege of the crown, and ſaying that
" ſhe is not queen? And though experience
" has ſhewn ſo much clemency in her ma-
" jeſty, as might, perhaps, make ſubjects
" forget their duty, it is not good to ſport or
" venture too much with princes. He re-
" minded them of the fable of the hare, who,
" upon the proclamation that all horned beaſts
" ſhould depart the court, immediately fled, leſt
" his ears ſhould be conſtrued to be horns;
" and by this apologue he ſeems to inſinuate,
" that even thoſe who heard or permitted
" ſuch dangerous ſpeeches, would not them-
" ſelves be entirely free from danger. He
" deſired them to beware, leſt, if they meddled
" farther with theſe matters, the queen
" might look to her own power; and finding
" herſelf able to ſuppreſs their challenged li-
" berty, and to erect an arbitrary authority,
" might imitate the example of Lewis the
" Eleventh of France, who, as he termed it,
" delivered the crown from wardſhip.

" Though this ſpeech gave ſome diſguſt, no-
" body at the time replied any thing; but that
" ſir Humphrey miſtook the meaning of the

" houſe, and of the member who made the
" motion: They never had any other purpoſe,
" than to repreſent their grievances, in due and
" ſeemly form, unto her majeſty. But in a
" ſubſequent debate, Peter Wentworth, a man
" of a ſuperior free ſpirit, called that ſpeech an
" inſult on the houſe; noted ſir Humphrey's
" diſpoſition to flatter and fawn on the prince;
" compared him to the cameleon, which can
" change itſelf into all colours, except white;
" and recommended to the houſe a due care
" of liberty of ſpeech, and of the privileges of
" parliament. It appears, on the whole, that
" the motion againſt the excluſive patent had
" no effect. Bell, the member who firſt intro-
" duced it, was ſent for by the council, and
" was ſeverely reprimanded for his temerity.
" He returned to the houſe with ſuch an
" amazed countenance, that all the members,
" well informed of the reaſon, were ſtruck
" with terror, and during ſome time no one
" durſt riſe to ſpeak of any matter of import-
" ance, for fear of giving offence to the queen
" and the council. Even after the fears of the
" commons were ſomewhat abated, the mem-
" bers ſpoke with extreme precaution; and by
" employing moſt of their diſcourſe in pre-
" ambles and apologies, they ſhewed their

" conſcious

" conſcious terror of the rod which hung
" over them.—It is remarkable, that the
" patent, which the queen defended with
" ſuch imperious violence, was contrived for
" the profit of four courtiers, and was atten-
" ded with the utter ruin of ſeven or eight
" thouſand of her induſtrious ſubjects.

" Thus every thing which paſſed the two
" houſes was extremely reſpectful and ſub-
" miſſive; yet did the queen think it incum-
" bent on her, at the concluſion of the ſeſ-
" ſion, to check, and that with great ſeve-
" rity, thoſe feeble efforts of liberty, which
" had appeared in the motions and ſpeeches
" of ſome members. The lord keeper told
" the commons, in her majeſty's name, that,
" though the majority of the lower houſe
" had ſhewn themſelves in their proceedings
" diſcreet and dutiful, yet a few of them had
" diſcovered a contrary character, and had
" juſtly merited the reproach of audacious,
" arrogant, and preſumptuous: Contrary to
" their duty as ſubjects and parliament men,
" nay, contrary to the expreſs injunctions
" given them from the throne at the begin-
" ning of the ſeſſion, injunctions which it
" might well become them better to have at-
" tended to, they had preſumed to call in

" queſtion her majeſty's grants and preroga-
" tives. But her majeſty warns them, that
" ſince they thus wilfully forget themſelves,
" they are otherwiſe to be admoniſhed:
" Some other ſpecies of correction muſt be
" found for them; ſince neither the com-
" mands of her majeſty, nor the example of
" their wiſer brethren, can reclaim their
" audacious, arrogant, and preſumptuous folly,
" by which they are thus led to meddle with
" what nowiſe belongs to them, and what lies
" beyond the compaſs of their underſtand-
" ing." P. 178, 179, 180, 181.

" [Her arbitrary] maxims of government
" were not kept ſecret by Elizabeth, or
" ſmoothed over by any fair appearances or
" plauſible pretences. They were openly
" avowed in her ſpeeches and meſſages to
" parliament; and were accompanied with
" all the haughtineſs, nay ſometimes bit-
" terneſs, of expreſſion, which the meaneſt
" ſervant could look for from his offend-
" ed maſter. Yet notwithſtanding this
" conduct, Elizabeth continued to be the
" moſt popular ſovereign that ever ſwayed
" the ſceptre of England; becauſe the max-
" ims of her reign were conformable to the

" principles

" principles of the times, and to the opinion " generally entertained with regard to the " conſtitution. The continued encroach- " ments of popular aſſemblies in Elizabeth's " ſucceſſors have ſo changed our ideas on theſe " matters, that the paſſages above-mention- " ed appear to us extremely curious, and even " at firſt ſurprizing; but they were ſo little " remarked during the time, that neither " Camden, though a contemporary writer, " nor any other hiſtorian, has taken any notice " of them. So abſolute indeed was the au- " thority of the crown, that the precious " ſpark of liberty had been kindled, and was " preſerved, by the puritans alone; and it was " to this ſect, whoſe principles appear ſo fri- " volous, and habits ſo ridiculous, that the " Engliſh owe the whole freedom of their " conſtitution." P. 182, 183.

Theſe paſſages are full of materials for ſalutary reflection. The ſpeeches themſelves are extracted by Hume, from Sir Simon d'Ewes's Hiſtory of the Proceedings of Parliament. They diſcover to us, in an irreſiſtible manner, the principles by which his majeſty's miniſters deſire to have the government of this country

conducted, and the ſources to which they reſort for conſtitutional authority.

The act of queen Elizabeth was revived in about two years after the reſtoration of king Charles the Second. The events which had preceded, were, what Clarendon calls, the Great Rebellion, the beheading of king Charles the Firſt, the uſurpation of Cromwel, and the anarchy which followed upon his deceaſe. Men were tired with the unſucceſsful experiments that had been made of the principles of republicaniſm; and, when the king's reſtoration was once determined, the tide of loyalty became uncontrolable. Such was the impatience of all ranks of people, that the negociations reſpecting the terms upon which he ſhould be reſtored, were abruptly terminated, and the people threw themſelves, without treaty or condition, into the arms of the ſovereign.

Thus it has been ſeen, in the firſt place, that the precedents of lord Grenville, as being drawn from a period anterior to the revolution, do not belong to the Engliſh conſtitution, and that he might, with as much real propriety, have drawn them from the tranſactions, equally remote, of France or Spain.

Secondly,

Secondly, it has appeared, that, in addition to the precedents' poſſeſſing no intrinſic authority, they are drawn from periods by no means compatible with the principles of liberty. But the objection has not yet been put in its ſtrongeſt light.

The moſt important object of lord Grenville's bill, is to impoſe certain reſtraints upon the liberty of the preſs. To what period does he recur for inſtruction upon that ſubject? What authorities does he conſult? The reign of queen Elizabeth; the year 1571. Is this the conſummation of ignorance, or are we to regard it in the light of unbluſhing ſophiſtry? I will ſuppoſe that the reign of queen Elizabeth, had been as much diſtinguiſhed by maxims of liberty, as it was by the maxims of arbitrary power. Lord Grenville's argument will gain nothing by that ſuppoſition.

In the year 1571, literature was not yet emancipated from its cradle: the liberty of the preſs had not yet been heard of. This important doctrine, ſo invaluable to times of knowledge and illumination, had not yet been invented. Men might have loved all other kinds of liberty, but this they could not love, for they could not underſtand. The preſs,

that

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that

that great engine for raiſing men to the dignity of gods, for expanding and impregnating the human underſtanding, for annihilating, by the moſt gentle and ſalubrious methods, all the arts of oppreſſion, was a machine thruſt into an obſcure corner, and which, for its unpoliſhed plainneſs and want of exterior attraction, was almoſt regarded with contempt. Men knew ſcarcely more of the real powers of the preſs, and its genuine uſes, than the ſavage would ſuſpect of the uſes of the alphabet, if you threw the four and twenty letters into his lap.

And now, in the cloſe of the eighteenth century, lord Grenville would bring us back to the ſtandard of 1571. Does he think we are to be thus led? Does he believe that he will be permitted to treat men arrived at years of maturity, in the manner they were treated while children? Is the *imprimatur* of government to be a neceſſary preliminary to every publication? Are we to have an *Index Expurgatorius*, teaching us what books we may read, and what books muſt on no account be opened? Is government to appoint certain perſons to draw up for us catechiſms and primers, Whole Duties of Man, and elemen-

tary treatiſes of every ſcience? And are we, by theſe publications from authority, to model our creed and faſhion our underſtandings?

Little indeed do theſe miniſters apprehend of the nature of human intellect! Little indeed have they followed its growth, to the vigorous ſublimity of its preſent ſtature! They are ſtrangers come from afar, and cannot underſtand the language of the country. They are like the ſeven ſleepers, that we read of in the Roman hiſtory, who, after having ſlumbered for three hundred years, knew not that a month had elapſed, and expected to ſee their old contemporaries, their wives ſtill beautiful, and their children ſtill in arms. But they will be taught the magnitude of their error. This giant, the underſtanding, will rouſe himſelf in his might, and will break their fetters, "as a thread of tow is broken, "when it toucheth the fire."

We have now taken a view of the proviſions and ſpirit of the propoſed bills, and nothing remains for us, but to ſum up the arguments on either ſide, and attend to the reſult. We have ſtated the emergency of the caſe upon which miniſters acted, with as much candour and accuracy as we could exert,

ert, and certainly with a deſire, very oppoſite to that of ſuppreſſing or diſguiſing any of its circumſtances. This would, in our apprehenſion, have been unpardonable. We agree with miniſters in the principle of their bills, if the admiſſion of certain facts, and of the neceſſity of ſome vigilance, perhaps of ſome exertion, can be called the principle of the bills.

We are now to compare the diſeaſe and the remedy together, to aſcertain in what degree they are proportioned to each other, or how far it can be expected that that, which is offered us as a remedy, will prove a remedy.

The firſt of theſe queſtions may be diſmiſſed in a few words. The evil is to be conſidered as an embryo evil. The operations of the London Correſponding Society, and its adherents, if not oppoſed, muſt have terminated in one or two ways. Either they would have burſt out prematurely, and then it would have been a mere common tumult or ſedition; it would have been eaſily quelled; its authors would have been its victims; and they would have left, as a legacy to their countrymen, an infallible pretext for new ſeverity and aſſumption on the part of govern-

ment.

ment. Or the tendency of their operations would have been more formidable; and, by continually gaining ſtrength, they would at laſt have been able to overturn the conſtitution. But, to accompliſh that purpoſe, it would have been neceſſary, that they ſhould have been peculiarly tranquil and orderly in their appearance; that they ſhould have watched their opportunity with unalterable patience; and that they ſhould have ſuffered years to elapſe before they broke out into act.

It may well be doubted, whether an evil thus diſtant, though unqueſtionably entitled to the attention of miniſters, required the introduction of any new act of parliament to encounter it. It may well be believed, that the laws already in exiſtence, ſagaciouſly adminiſtered, would have been abundantly ſufficient for the purpoſe. I think this would have been the caſe, even if we had torn the Riot Act from our ſtatute book, and introduced ſome more humane and wholſome regulation in its place.

The nature of the proper remedy was generally delineated in the firſt pages of this enquiry. But it may not be uſeleſs, to reca-

pitulate and expand what was there delivered. The circumſtance, as we then obſerved, principally to be regretted was, that the proceedings of the London Correſponding Society and its partizans, were of ſuch a nature, that, in endeavouring to check them, the ſtateſman would be perpetually in danger of intrenching upon the freehold of our liberties. In this caſe it would be incumbent upon him, to tread with wary ſteps, and to handle every thing that related to the tranſaction with a tender hand, and a religious fear. Before he ſet out upon his expedition, he would ſwear upon the altar of his country, that, in dealing with her internal foe, he would not infringe upon her liberties.

It is no eaſy matter to lay down the preciſe conduct he would purſue. It would be idly to detract from the uſefulneſs of theſe pages, to offer any undigeſted opinion upon that ſubject. Undoubtedly he would ſit down, with the matureſt deliberation, with the moſt unalterable conſtancy, with the moſt perfect coolneſs of temper, and with the pureſt kindneſs towards all the parties concerned, to meditate upon this critical queſtion. He would certainly prefer means of conciliation to means

of

of force. Means of conciliation will always offer themſelves in abundance, to the man of ſtrong underſtanding, and of ardent benevolence.

Such then is the nature of the preliminary circumſtances, and ſuch the general nature of the remedy to be applied. It will not be neceſſary to enter into a long recapitulation of the meaſures propoſed by lord Grenville and Mr. Pitt, in order to ſhew how far they correſpond with the conditions of the remedy. It is not probable that their warmeſt advocates will pretend, that they have proceeded with a very cautious ſtep; that they have ſhewn any uncommon ſolicitude for the preſervation of our liberties, through all their minuteſt particles, and their wideſt and tendereſt ramifications. Their warmeſt advocates will not pretend, that they have not advanced to this buſineſs with a ſort of youthful alacrity; and that they have not rather ſeized a pretext, than been preſſed into the ſervice by an occaſion. They have no ſympathy with the friends of liberty. They conſult not the coolneſs of philoſophy, but the madneſs of paſſion. When the time calls upon them to reaſon, they begin to rail. Their profeſſion is that of invec-

tive; and invective has been their principal medium for working on the minds of their countrymen, for the laſt three years. They act with the unſteadineſs and vehemence of paſſion; and, if they produce a ſalutary effect, it will be by the ſame kind of accident, as the painter, who produced upon his canvas the appearance he wiſhed, by throwing his bruſh at it from the impulſe of impatience and deſpair.

Such are the miniſters to whom the affairs of a great country are confided; and ſuch is the ſhallow policy, miſnamed exquiſite and profound, by which the intereſts of mankind have been managed, in too many inſtances, in all ages of the world.

There is a curious fact relative to this ſubject, which deſerves to be ſtated, and upon which the reader will make his own reflections. From the beginning of the preſent reign, there have been two parties conſtantly concerned in the government of this country; certain individuals in habits of perſonal intimacy with the king; and his oſtenſible adviſers. Between theſe two parties it has been neceſſary that there ſhould be a conſtant ſpirit of compromiſe; the king's miniſters would

not

not conſent to be the nominal conductors of affairs, without having an occaſional voice in the meaſures they undertook to recommend and to vindicate. This compromiſe has been a matter of increaſing difficulty and delicacy, during that part of the king's reign which is now elapſing. In earlier periods, it was thought proper for him to maintain a certain ſort of indifference for his miniſters, and, if a preſent ſet were not found ſufficiently complying, to have recourſe to others. During the adminiſtration of Mr. Pitt, he has ſcarcely at any time had the choice of ſuch an alternative. Of conſequence, the commerce has been carried on upon more equitable terms. As the miniſter has often zealouſly exerted himſelf to perſuade parliament into the adoption of meaſures which he perſonally diſapproved, ſo the king has been obliged repeatedly to make a ſimilar conceſſion. Thus two men, one of whom at leaſt is ſuppoſed to entertain a mortal antipathy to the other, have found the ſecret of going on very amicably together. In the inſtance to which this pamphlet relates, it has it ſeems been the king's turn to concede. His moſt intimate and confidential adviſers have been hoſtile to the preſent

ſent meaſure. They have conceived that it tended to create danger, where it profeſſed to communicate ſecurity. Thus miniſters have, with a conſiſtency and candour ſufficiently memorable, brought in a bill, the entire and excluſive purpoſe of which is to ſecure themſelves in their places, under the title of *An Act for the ſafety and preſervation of his majeſty's perſon and government, againſt treaſonable and ſeditious practices and attempts.* Mr. Pitt ſtands upon ſo high ground in the cabinet upon the preſent occaſion, that it was not thought ſafe, on the part of the king's friends, to refuſe their acquieſcence to the bills. Lord Thurlow alone has diſplayed a ſort of ambiguous oppoſition, juſt ſufficient to ſhew, that he did not conſider the preſent meaſures as by any means entitled to his approbation.

An idea will inevitably ſuggeſt itſelf in this place to one claſs of readers. They will confeſs, " that they are not very ſolicitous, as to " whether the bills of lord Grenville and " Mr. Pitt be ſomewhat ſtronger than the " occaſion demanded. They are not abſo- " lutely determined againſt all ideas of li- " berty; but they conceive that, in the pre-

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" ſent times at leaſt, liberty muſt be viewed
" as a ſubordinate conſideration. A grand
" iſſue is now depending, between the
" ſtrengthening the powers of government,
" and extending what is called, our liberties;
" and they prefer without heſitation an eſtab-
" liſhed deſpotiſm to the apprehenſions of
" anarchy. The only queſtion about which
" they are ſolicitous, is, Will theſe bills,
" granting that they are ſuperfluouſly ſtrong,
" anſwer their oſtenſible purpoſe, keep out
" innovation, and perpetuate the domeſtic
" peace of Great Britain?"

This is a queſtion to which we cannot turn without ſome degree of pain; but it is neceſſary that it ſhould be examined. The following reaſons induce us to think, that the bills will not anſwer their oſtenſible purpoſe.

The human ſpecies, as has already been obſerved, is arrived, in a certain ſenſe, at years of maturity. It can no longer be treated with the rigours of infantine diſcipline, nor can it be moulded into every form that its governors ſhall pleaſe to preſcribe. The materials have already aſſumed a decided character, and government has nothing left but to make the beſt of theſe materials. Cardinal Wolſey

ſaid

ſaid in the reign of king Henry the Eighth, ſpeaking of the papal ſuperſtition, " If we do " not deſtroy the preſs, the preſs will deſtroy " us." It will be doubted by a careful reaſoner, whether cardinal Wolſey ſpoke in time, and whether the daring project at which he hinted could, even then, have been execute . But it cannot now be executed. The preſs is " a ſtone againſt which whoſoever ſtumbles, " ſhall be broken ; but whoſoever ſhall pull it " upon his own head, ſhall be cruſhed in " pieces."

No infatuation can be more extraordinary than that which at preſent prevails among the alarmed adverſaries of reform. Reform muſt come. It is a reſiſtleſs tide ; and, if we endeavour to keep it out too long, it will overwhelm us. You are friends to the peace and tranquillity of human ſociety. So is every reaſonable and conſcientious man that lives. But, take heed leſt your miſtaken friendſhip ſhould produce the effects of hatred. In order to maintain the peace and tranquillity of ſociety, it is neceſſary to temporize. We muſt both accommodate ourſelves to the empire of old prejudices, and to the ſtrong and deciſive influx of new opinions. We muſt

muſt look far before us. To promote greatly our own interest, we must think a little of the interest of posterity. We must not ſpend the whole capital of our estate, in the first year that we come into poſſeſſion. If we would preſerve in the community any reverence for authority, we must exerciſe it over them with frugality. We must not ſtretch the ſtrings of our instrument ſo far, as to put them in instant danger to ſnap.

The London Correſponding Society has been thoughtleſsly purſuing a conduct, which was calculated ſooner or later to bring on ſcenes of confuſion. They have been to blame. But it is ſcarcely poſſible for a ſerious enquirer to pronounce, that the king's ministers, and the opulent and titled alarmists, are not much more to blame. Theſe were men who, by their ſituation and influence in the country, were peculiarly bound to hold the balance even, and conſult for the interests of the whole. But, they have been the first to violate the general compact. They have thrown down the gauntlet. They have had recourſe to every kind of irritation. They have laid aſide the robes and inſignia of authority; and leaped, like a common

wrestler, upon the stage. They have been loudest in increaſing the broil; they have urged on the animoſity of the combatants; and they have called for blood. Neither the preſent times nor posterity will forget the trials for high treaſon last year at the Old Bailey; a meaſure which, for precipitation, folly, and an unſcrupulous and ſanguinary ſpirit, has never been exceeded. This was one of the early meaſures, by which government conſpicuouſly forced the moderate and the neutral, to take their ſtation in the ranks of the enemy.

But the preſent bills will have still more strongly, and, if they paſs into a law, much more permanently, the ſame effect. What is it that we are called upon to part with, and what to admit, that we may enter into a treaty, offenſive and defenſive, with the preſent ministers? We must part with the Bill of Rights, with the liberty of the preſs, and the liberty of ſpeech. We must place ourſelves in the ſituation, which is deſcribed in the preamble of the Act, 1 Henry IV, when, "no man could know "how he ought to behave himſelf, to do, "ſpeak or ſay, for doubt of the pains of "treaſon,"

Treaſon." We must admit a national militia of ſpies and informers. This is a price that ſcarcely any man will be content to pay. If it be paid for want of reflection at first, men will full ſurely awake; they will loudly reclaim their birth right; and the indignation they will conceive at having been thus overreached, will probably produce a convulſion. The preſent bills force men into the extremest state of hostility; they leave no opening for treaty; they offer no compromiſe; they inculcate an obstinate and impracticable temper upon both parties. At a time when conciliation is most neceſſary, they most deeply inſpire into us ſentiments of animoſity.

The nature of Mr. Pitt's bill deſerves particularly to be recollected in this place. It abrogates the fundamental proviſion of the Bill of Rights. When the Bill of Rights authorized men to conſult reſpecting grievances, and to demand redreſs, it is not probable that its authors were unaware of the danger attendant upon crowded aſſemblings of the people. But they reaſoned upon the nature of the caſe, and they thought the legal permiſſion of theſe aſſemblies, under

certain conditions, the leaſt evil. They knew that, when the people thought themſelves aggrieved, they muſt be redreſſed. They knew that diſcontent was one of the moſt undeſirable ſtates of the public mind. They knew that diſcontent, when ſhut up, grew ſtronger and more menacing; and they conceived that it was true political wiſdom to provide it a channel by which to expreſs itſelf. Mr. Pitt is determined that there ſhall be no diſcontent. At leaſt he is determined, that diſcontent ſhall not declare itſelf, and that no clamours ſhall be heard. He ſhuts up every avenue, of open conſulting, of political publications, and of private converſation. Miniſters will be found perhaps, to be ſufficiently ignorant at preſent of the ſtate of the public mind. It is one of the great problems of political government to be adequately acquainted with it. The moſt fatal effects have always followed from this ignorance. The American war was begun, from a perſuaſion that the majority of the people were loyaliſts: and the preſent war would probably never have been undertaken, if the Engliſh government had not believed, that the great maſs

of

of the inhabitants of France were concealed adherents of the dethroned ſovereign. The preſent bills are calculated to ſwell this ſpecies of ignorance to its greateſt dimenſions. Mr. Pitt is determined that we ſhall not hear the tempeſt, till it burſt upon us in a hurricane, and level every thing with the duſt.

Having, in this inſtance, aſſigned reaſons why thoſe perſons, who are under no apprehenſions from the extenſion of authority, ought yet to diſapprove of the preſent bills, we will conclude, in conformity to the moderate and conciliating ſpirit with reſpect to the two oppoſite political ſyſtems, that we hope has pervaded theſe ſheets, with offering a few conſiderations to perſuade thoſe perſons who are enthuſiaſtic advocates for the extenſion of liberty, that they ought not to conceive too vehement an animoſity, and to be poſſeſſed with too profound a deſpair, if theſe bills ſhould ultimately paſs into law. The enthuſiaſtic advocates for liberty are too apt to exclaim upon every new encroachment, " This is the laſt degree of hostility ; " every thing depends upon our preſent ſucceſs; " if we miſcarry now, the triumph of deſpotiſm " is final, and there is no longer any hope that

" remains

" remains to us." The preciſely oppoſite of this is the true inference in the preſent inſtance. Theſe bills are *an unwilling homage, that the too eager advocates of authority pay to the riſing genius of freedom.* Why will you always ſhut your eyes upon the real nature of your ſituation? Why will you believe, while every thing is auſpicious, that every thing is deſperate? If you cannot ſee how deeply more liberal principles of freedom have ſtruck their root into the ſoil of Britain, how widely they have diffuſed themſelves, and how faſt they are ripening for the purpoſes of reform, you have here the testimony of your enemies to convince you. You are mistaken: the preſent effort of intemperate alarm, is not the act of of preſumptuous confidence; it is dictated by a ſentiment of dejection and deſpair. Be tranquil. Indulge in the most flattering proſpects. Be firm, be active, be temperate. If alarmiſts are reſolved no longer to keep any terms with you, you then, in all just conſideration, ſucceed to the double office, of the advocates of reform, and the moderators of contending and unruly animoſities.

THE END.